

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
v.	)	<b>CRIMINAL NO. 05-10136-RGS</b>
	)	
<b>MARK NUTTER</b>	)	

**GOVERNMENT'S LIST OF PROSPECTIVE TRIAL EXHIBITS**

The United States of America, by and through Assistant United States Attorneys William H. Connolly and James P. Dowden, respectfully submits the following list of prospective trial exhibits. If the government subsequently decides to offer any additional exhibits in its case in chief, it will promptly notify the defendant:

Marked for Identification	Exhibit	Admitted Exhibit Number
1	Fire scene photographs from 161D Mid Tech Drive	
2	Diagram of 161D Mid Tech Drive	
3	Burton Abel business card	
4	Forensic locksmith photographs from 161D Mid Tech Drive	
5	Samples of debris from 161D Mid Tech Drive	
6	Commercial Lease to 161D Mid Tech Drive	
7	Note retrieved from 161D Mid Tech Drive	

Marked for Identification	Exhibit	Admitted Exhibit Number
8	Mark Nutter hand written statement from October 16, 2003	
9	Video tape of interview (dated October 16, 2003)	
10	Tape recording of interview (dated October 28, 2003)	
11	Insurance investigator photographs of 161D Mid Tech Drive	
12	Letter (and packaging) from Richard Cohen to Lawrence Dugan (dated March 15, 2004)	
13	Letter (and packaging) from Blair Wiegand to Lawrence Dugan (dated July 6, 2004)	
14	Letter (and packaging) from Oleh Podryhula to Lawrence Dugan (dated September 14, 2004)	
15	Letter from Lawrence Dugan to Oleh Podryhula (dated October 14, 2004)	
16	Mark Nutter Examination Under Oath (dated February 17, 2004)	
17	Mark Nutter examination under oath (dated July 8, 2004)	
18	Hanover Insurance Policy (effective January 30, 2003)	
19	Hanover Insurance Policy (effective February 4, 2003)	
20	Tempassure Mechanical Articles of Incorporation	
21	Photograph of Charles Hotel	
22	Bid proposal for Charles Hotel (dated November 20, 2003)	

Marked for Identification	Exhibit	Admitted Exhibit Number
23	Bid proposal for Charles Hotel (dated November 29, 2003)	
24	Snow & Jones Plumbing business records and invoices	
25	F.W. Webb business records and invoices	
26	Barbara Wiseman invoices	
27	Rental documents for 95 Forest Road, Yarmouth Massachusetts	
28	Burton Abel receipts from October 15, 2003	
29	Whaling City Iron business records	
30	Ralph Crossen Photographs of 100 Independence Drive, Hyannis	
31	Ralph Crossen business records	
32	Tape Recording of Conversations (dated May 3, 2005)	
33	Mark Nutter cell phone records (dated April - May 2005))	
34	Shepherd and Goldstein business records	
35	Mark Nutter cell phone records (dated October 15-16, 2003)	
36	Mark Nutter cell phone records (dated October 15-16, 2003)	
37	Mark Nutter cell phone records (dated October 15-16, 2003)	
38	Hanover Insurance business records (including renewal declaration for increased coverage)	

Marked for Identification	Exhibit	Admitted Exhibit Number
39	Certification of non-existence of federal tax records	
40	Bank records from Fleet Bank (Acct # 9374444977)	
41	Bank records from Rockland Trust (Acct # 93744449777)	
42	Bank records from Citizens Bank (Acct # 113636-596-3)	
43	Business Records from First Niagra leasing	
44	Bank records from Sovereign Bank (Acct # 1-09-1036210)	
45	Chart depicting Mark Nutter Non-Sufficient Funds (NSF) Transactions and Fees	
46	Chart depicting Average Monthly Balance, Tempassure Business Checking Account, Aug 1999 - Oct 16, 2003	
47	Charting depicting Tempassure Mechanical Debt in Arrears on Oct 16, 2003	
48	Chart depicting Tempassure Mechanical Available Cash v. Debt on October 15, 2003 (With and without Insurance Claim)	
49	Chart depicting Tempassure Mechanical Revenue Deposited, 2000 - 10/16/2003	

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

Date: November 6, 2007

By: /s/ James P. Dowden  
WILLIAM H. CONNOLLY  
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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on November 6, 2007.

/s/ James P. Dowden

James P. Dowden

Assistant U.S. Attorney